

PATENT  
ATTORNEY DOCKET NO. 50026/008001

Certificate of Mailing: Date of Deposit: May 20, 2003

I hereby certify under 37 C.F.R. § 1.10(a) that this correspondence is being deposited with the United States Postal Service as **Express Mail Post Office to Addressee** with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michelle P. Chicos

Printed name of person mailing correspondence

*Michelle P. Chicos*  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Yoshiyuki Nagai et al.	Art Unit:	1632
Serial No.:	09/132,521	Examiner:	J. Woitach
Filed:	August 11, 1998	Customer No.:	21559
Title:	RECOMBINANT SENDAI VIRUS VECTOR EXPRESSING CHEMOKINE		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §§ 1.821 - 1.825

In reply to the Office Action that was mailed in connection with the above-referenced case on November 20, 2002, enclosed is a Sequence Listing in accordance with the requirements of 37 C.F.R. §§ 1.821 through 1.825 and consisting of two pages.

As required by 37 C.F.R. § 1.821(c), the Sequence Listing appears as a separate part of the application. Each sequence in the application appears separately in the Sequence Listing, and each sequence in the Sequence Listing is assigned a separate sequence identifier.

As required by 37 C.F.R. § 1.821(d), the sequence identifiers are used throughout

the application description to refer to their respective sequences.

As required by 37 C.F.R. § 1.821(e), enclosed is a diskette containing a copy of the Sequence Listing in computer readable form.

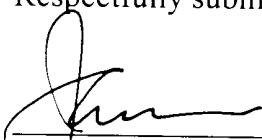
As required by 37 C.F.R. § 1.821(f), I hereby state that the contents of the computer readable form of the Sequence Listing are the same as the contents of the paper copy.

As required by 37 C.F.R. § 1.821(g), I hereby state that this submission contains no new matter.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 20 May 2003



James D. DeCamp, Ph.D.  
Reg. No. 43,520

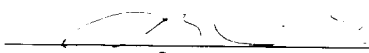
Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045



21559  
PATENT TRADEMARK OFFICE

MAY 22 2000

MAY 26 2000

Date of Deposit	May 22, 2000	Certificate of Mailing	Label Number	EL509045935US
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Luis A. Cruz Printed name of person mailing correspondence			 Signature of person mailing correspondence	

### CONTINUED PROSECUTION APPLICATION TRANSMITTAL UNDER 37 CFR §1.53(d)

Attorney Docket Number	50026/008001
Applicant	YOSHIYUKI NAGAI, TATSUO SHIODA, and CHIKAYA MORIYA
Title	RECOMBINANT SENDAI VIRUS VECTOR EXPRESSING CHEMOKINE

#### PRIORITY INFORMATION:

This is a request for a continuation application under 37 CFR §1.53(d) (continued prosecution application (CPA)) of prior United States patent application 09/132,521, filed August 11, 1998.

#### FILING QUALIFICATIONS:

The prior application is a nonprovisional application that is either 1) complete as defined by 37 CFR 1.51(b); or 2) the national stage application of an international application in compliance with 35 USC 371.

#### EXPRESS ABANDONMENT:

This request for a CPA expressly abandons the prior application as of the filing date of this request.

#### ACCESS TO PRIOR APPLICATION:

This request for a CPA is construed to include a waiver of confidentiality by the applicant under 35 USC 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR §1.14 to access to, copies of, or information concerning the prior application may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket.

#### 35 USC 120 STATEMENT:

This request for a CPA is the specific reference required by 35 USC 120 to the prior application.

#### PAPERS ENCLOSED:

- |                                     |  |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | 1. A small entity statement was filed in the prior application. Such status is proper and desired. |
| <input checked="" type="checkbox"/> | 2. Please apply any charges not covered, or any credits, to Deposit Account No. 03-2095.           |
| <input checked="" type="checkbox"/> | 3. Enclosed is a check for \$497.00 to cover the total fees calculated below.                      |

#### FILING FEES:

Basic Filing Fee: \$345.00	\$345.00
Excess Claims Fee: 13 - 20 x \$9	\$0.00

05/24/2000 CVORACHA 00000103 032095 09132521

01 FC:231  
02 FC:202

4.00 CH

345.00 OP  
152.00 OP

Excess Independent Claims Fee: 7 - 3 x \$69	\$152.00
Multiple Dependent Claims Fee: \$130	\$0.00
Total Fees:	\$497.00

**CORRESPONDENCE ADDRESS:**

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Reg. No. 30,162  
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Boston, MA 02110

Telephone: 617-428-0200  
Facsimile: 617-428-7045

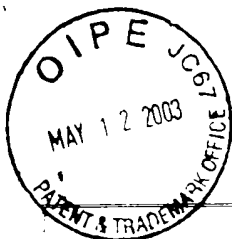
*Paul T. Clark*  
Signature

REG NO  
35,238

*22 May 2000*

Date

\\NTSERVER\documents\50026\50026.008001 Continued Prosecution Application Transmittal 37 CFR 1.53(d).wpd



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Michelle P. Chicos

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*Michelle Chicos*

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REPLY TO OFFICE ACTION

In reply to the Office action that was mailed in connection with the above-captioned patent application on November 20, 2002, Applicants submit the following Amendment and Remarks.